

AFFIDAVIT

I, Edward Smith, declare that I am the (check appropriate box):

☒ petitioner/plaintiff/movant

☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of the full filing fee or costs under 28 U.S.C. § 1915, I declare that I am unable to prepay the full filing fee or the costs of these proceedings and that I am entitled to the relief sought in this complaint/petition/motion.

In support of this application, I answer the following questions under the penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No

If "Yes", state the place of incarceration: WARREN CORR Inst, P.O. Box 120, Lebanon, OH, 45036

(If "No," this is the wrong form for you. You should request the Non-Prisoner Declaration in Support of Request to Proceed *In Forma Pauperis*)

2. Do you have a work, program, status assignment or other circumstances which causes you to be paid by the prison, jail, or other custodial institution? ☐ Yes ☐ No

If "Yes", state the amount credited to you each month: \$ _____ /month

3. In the past 12 months have you received any money from the following sources? If so, state the total amount received.

- | | | | <u>Amount</u> |
|---|---|--|--------------------------------|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | \$ _____ |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | \$ _____ |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | \$ _____ |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | \$ _____ |
| e. Gifts or inheritances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | \$ _____ |
| f. Any other sources | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | \$ <u>600.00</u>
(# 600.00) |

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WEST DIVISION

2004 OCT 28 PM 2:55

If the answer to any of the above is "Yes", describe each source of money and statement received and what you expect you will continue to receive. \$100.00 EVERY 2 MONTHS OR THEREABOUTS

4. Do you have any cash or checking or savings accounts outside the prison?

☐ Yes

☒ No Amount \$ _____

5. Do you have a secondary savings account, such as a certificate of deposit or a savings bond, which is recorded by the prison cashier?

☐ Yes

☒ No Amount \$ _____

6. Do you own any assets, including real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property?

☐ Yes

☒ No

If "Yes", describe each asset and state its value.

ASSET

VALUE

Autos _____

\$ _____

(Make/model/year) _____

Stocks _____

\$ _____

\$ _____

Bonds _____

\$ _____

Notes _____

\$ _____

Real Estate _____

\$ _____

\$ _____ (mortgage)

Other _____

\$ _____

7. Have you on three or more prior occasions, while incarcerated or detained in any prison, jail or other facility, brought an action in a court of the United States that was dismissed on the

grounds that it was frivolous, malicious, or failed to state a claim upon which relief may be granted?

☐ Yes

☒ No

If "Yes," list the dismissals:

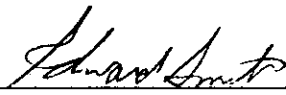
Date Dismissed	Case Name	Case No.

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I have submitted above a complete statement of all the assets I possess and that all of the information is true and correct.

I understand that my signature below authorizes the institution of incarceration to forward from my account to the Clerk of the Court any initial partial filing fee assessed by the Court in the amount of 20 percent of the greater of the average monthly deposits to my prison account or the average monthly balance in my prison account for the six-month period immediately preceding the filing of the complaint. Thereafter, I authorize the institution of incarceration to forward monthly payments of 20 percent of my preceding month's income credited to my prison account until I have paid the full amount of the filing fee.

x OCT. 22 2004
DATE

x 
SIGNATURE OF APPLICANT

CERTIFICATE

(To be completed by the institution of incarceration)

(as of 102204)

I certify that the applicant named herein has the sum of \$ 105.70 on account to his /her credit at (name of institution) WARREN CORRECTIONAL. I further certify that during the past six months the applicant's average monthly balance was \$ 168.26 and the applicant's average monthly deposits were \$ 48.17. I have attached a certified copy of the applicant's prison trust fund account statement showing at least the past six months' transactions.

I further certify that the applicant does/does not have a secondary savings account(s), such as a certificate of deposit or a savings bond. The secondary account(s) balance is \$.00.

102204

DATE

V. L. Lamm, Cashier

SIGNATURE OF AUTHORIZED OFFICER

OCT 25, 2004

WARREN CORRECTIONAL INSTITUTION

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01/01/2004 THRU 10/25/2004 INMATE DEMAND STATEMENT

INMATE NUMBER: A346408

LOCK LOCA: 1A116L

INMATE NAME: SMITH, EDWARD
AKA:

SHOP CYCLE: PC

STATUS: A
MISC A: 0
MISC B:
NOTE: PC/SEG CHANGED ON 111400
HOLD TOTAL: 1.75
E.P.C. BALANCE: .00FROM LOC: CRC
FROM DATE: 06/11/1997
D.O.B.:
TO LOC:
TO DATE:

TRAN DATE	TRAN AMOUNT	TC	SF	OPR	T/C	DESC	MISC DESC	ACCOUNT BALANCE
04/01/04	2.90-	03	00	TJS		POSTAGE	UNITED STATES COURT	276.69
04/01/04	1.06-	03	00	TJS		POSTAGE	THELMA T PRICE	275.63
04/01/04	16.00	30	00	VLL		EARNINGS		291.63
04/01/04	63.52-	01	00	VLL		COMMISSARY	017784	228.11
04/05/04	4.00-	10	01	TJS		FUNDS OWED	COPIES PER UNIT STAF	224.11
04/07/04	25.00	31	00	VLL		RECEIPTS-M	SARAH BROWN SISTER	249.11
04/08/04	2.67-	03	00	TJS		POSTAGE	ERIN C CHILDS	246.44
04/08/04	1.29-	03	00	TJS		POSTAGE	SARA BROWN	245.15
04/15/04	51.29-	01	00	VLL		COMMISSARY	018847	193.86
04/19/04	3.50-	10	01	TJS		FUNDS OWED	COPIES PER UNIT STAF	190.36
04/23/04	100.00	31	00	VLL		RECEIPTS-M	SARA BROWN SISTER	290.36
04/29/04	64.52-	01	00	VLL		COMMISSARY	019625	225.84
04/29/04	4.65-	03	00	VLL		POSTAGE	THOMPSON HINE	221.19
04/29/04	4.65-	03	00	VLL		POSTAGE	MARIANNE PRESSMAN ATTORNEY GENERAL	216.54
04/29/04	.83-	03	00	VLL		POSTAGE	US DISTRICT CRT #324	215.71
04/29/04	4.65-	03	00	VLL		POSTAGE	DAVID SINGLETON, ATTY	211.06
04/29/04	3.30-	10	01	VLL		FUNDS OWED	COPIES	207.76
05/05/04	16.00	30	00	VLL		EARNINGS		223.76
05/10/04	1.80-	10	01	VLL		FUNDS OWED	COPIES	221.96
05/10/04	9.50-	10	01	VLL		FUNDS OWED	COPIES	212.46
05/10/04	4.75-	03	00	VLL		POSTAGE	US DISTRICT COURT PKG	207.71
05/10/04	2.44-	03	00	VLL		POSTAGE	THELMA PRICE ATTY PKG	205.27
05/10/04	.60-	03	00	VLL		POSTAGE	THELMA PRICE ATTY	204.67
05/10/04	.83-	03	00	VLL		POSTAGE	US DISTRICT COURT	203.84
05/14/04	37.50-	01	00	TJS		COMMISSARY	020329	166.34
05/17/04	.60-	10	01	TJS		FUNDS OWED	COPIES PER UNIT STAF	165.74
05/18/04	4.65-	03	00	VLL		POSTAGE	MARIANNE PRESSMAN	161.09
05/24/04	1.00-	10	01	VLL		FUNDS OWED	COPIES	160.09

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E.P.C. BALANCE: .00FROM LOC: CRC
FROM DATE: 06/11/1997
D.O.B.:
TO LOC:
TO DATE:

TRAN DATE	TRAN AMOUNT	TC	SF	OPR	T/C	DESC	MISC	DESC	ACCOUNT BALANCE
05/26/04	100.00	31	00	VLL	RECEIPTS-M	SARA BROWN			260.09
						SISTER			
05/27/04	33.07-	01	00	VLL	COMMISSARY	021441			227.02
06/03/04	16.00	30	00	CH	EARNINGS				243.02
06/07/04	3.00-	19	00	CH	MEDICAL CO	05272004	MED	COPAY	240.02
06/10/04	17.29-	01	00	VLL	COMMISSARY	022161			222.73
06/24/04	32.89-	01	00	VLL	COMMISSARY	023259			189.84
07/01/04	16.00	30	00	VLL	EARNINGS				205.84
07/08/04	39.38-	01	00	VLL	COMMISSARY	000328			166.46
07/22/04	32.37-	01	00	CH	COMMISSARY	001443			134.09
07/26/04	.60-	03	00	CH	POSTAGE	LEGAL SERVICES DEPT			133.49
08/03/04	16.00	30	00	CH	EARNINGS				149.49
08/03/04	150.00	31	00	CH	RECEIPTS-M	SARA BROWN			299.49
						SISTER			
08/05/04	56.04-	01	00	CH	COMMISSARY	002233			243.45
08/09/04	35.00-	02	32	CH	CHECK OUTS	TRINITY BROADCASTING			208.45
08/09/04	.60-	03	00	VLL	POSTAGE	THELMA THOMAS PRICE			207.05
						AG OFFICE			
08/09/04	.83-	03	00	VLL	POSTAGE	U S DISTRICT COURT			207.02
09/01/04	16.00	30	00	CH	EARNINGS				223.02
09/02/04	98.10-	01	00	VLL	COMMISSARY	003976			124.92
09/13/04	2.90-	03	00	CH	POSTAGE	US DISTRICT COURT			122.02
09/16/04	2.44-	03	00	CH	POSTAGE	US DISTRICT COURTS			119.58
09/16/04	.83-	03	00	CH	POSTAGE	ASST ATTN GEN			118.75
						THELMA T PRICE			
09/16/04	1.06-	03	00	CH	POSTAGE	ASST ATTN GEN			117.69
						THELMA T PRICE			
09/17/04	48.86-	01	00	CH	COMMISSARY	005066			68.83
09/17/04	.60-	03	00	CH	POSTAGE	THELMA T PRICE			68.23
09/17/04	.60-	03	00	CH	POSTAGE	US DISTRICT CT			67.63
09/17/04	.60-	03	00	CH	POSTAGE	US DISTRICT COURT			67.03

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HOLD TOTAL: 1.75

TO LOC:

E.P.C. BALANCE: .00

TO DATE:

TRAN DATE	TRAN AMOUNT	TC	SF	OPR	T/C	DESC	MISC	DESC	ACCOUNT BALANCE
09/17/04	.60-	03	00	CH		POSTAGE		THELMA PRICE ASST DIST ATTN	66.43
09/22/04	3.65-	09	01	CH		TREASURY F		COPIES	62.78
09/22/04	2.75-	09	01	CH		TREASURY F		COPIES	60.03
09/22/04	2.50-	09	01	CH		TREASURY F		COPIES	57.53
09/22/04	.75-	09	01	CH		TREASURY F		COPIES	56.78
09/22/04	.60-	03	00	CH		POSTAGE		US DISTRICT COURT	56.18
09/22/04	.60-	03	00	CH		POSTAGE		THELMA PRICE	55.58
10/01/04	22.15-	01	00	CH		COMMISSARY	005856		33.43
10/01/04	2.44-	03	00	CH		POSTAGE		THELMA T PRICE	30.99
10/01/04	20.00-	02	32	CH		CHECK OUTS		US COURAT OF APPEAL	10.99
10/01/04	4.75-	03	00	CH		POSTAGE		US COURT OF APPEAL	6.24
10/06/04	16.00	30	00	CH		EARNINGS			22.24
10/12/04	6.50-	09	01	CH		TREASURY F		COPIES	15.74
10/13/04	100.00	31	00	CH		RECEIPTS-M		SHXA BROWN SISTER	115.74
10/15/04	7.33-	01	00	CH		COMMISSARY	006565		108.41
10/15/04	.45-	09	01	CH		TREASURY F		COPIES	107.96
10/21/04	.60-	03	00	CH		POSTAGE		JUDGE SUSAN DLOTT	107.36
10/21/04	.60-	03	00	CH		POSTAGE		OH ATTORNEY GEN	106.76
10/21/04	1.06-	03	00	CH		POSTAGE		US COURT OF APPEALS	105.70
10/22/04	3.13-	03	00	CH		POSTAGE		US COURT OF APPEALS	102.57
10/22/04	1.29-	03	00	CH		POSTAGE		OH ATTORNEY GENERAL	101.28
CURR. BAL									101.28
						TOTAL DEBITS			1,103.31-
						TOTAL CREDITS			910.00
						AVERAGE BALANCE			198.60